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AMERICAN MISGOVERNMENT OF CUBA.

BY MAJOR J. E. RUNCIE.

THE United States expelled Spain from Cuba because the island, under Spanish rule, had become an intolerable neighbor, and because it had been sufficiently demonstrated that Spain was incompetent to restore and maintain peace and order. The sufficient and justifying motive for American intervention was the desire to remove what had long been a source of danger to the peace and welfare of our own country. There was, to be sure, in addition to this, a deep and widespread sympathy for the oppressed Cubans; but this feeling, by itself, would never, probably, have brought on, even if it could have justified, a war with Spain for the sole purpose of liberating the Cubans from Spanish rule. We forcibly abated a nuisance which had long been maintained in our neighborhood. We did this for our own advantage primarily. Necessarily, but only incidentally, our neighbors, the Cubans, should derive from American intervention even greater advantages than the Americans themselves. But, whether the war with Spain be considered as a merely utilitarian undertaking or as having in addition a humanitarian motive, its purposes can only be regarded as accomplished when we shall have effected in Cuba a complete and permanent reformation of the condition of things which made necessary the forcible expulsion of Spain. Not only must the house be swept and garnished, but care must be taken that no other devils shall enter, and that the last state of the island shall not be worse than the first. For almost a year now the United States has been in complete control, and it may be interesting to take account of how much, or how little, has been accomplished of the enormous task involved in the regeneration of Cuba.

In estimating what has been accomplished under American

control, it must be remembered that the region surrendered when the Spanish forces capitulated at Santiago has been in American hands ever since the date of the surrender, July 17, 1898, while the rest of the island remained under Spanish rule until the first day of January, 1899. The territory surrendered when Santiago fell included, approximately, the eastern half of Santiago Province, the scene of repeated insurrections against Spanish rule, and the home of the most ignorant, turbulent and lawless people of Cuba. The task of establishing order in this distracted region and maintaining peace among the inhabitants devolved on the American military commander and his subordinates. These officers were not specially chosen for such duty, and they had no time for preliminary studies of the situation which confronted them. They had no instructions from higher authority other than those contained in an order issued by the President, which wisely directed that, for the time being, the laws of the land should continue in force, but only so far as they were not inconsistent with "the new order of things." The general in command governed the surrendered region with commendable disregard of such provisions of the Spanish codes as were in his judgment incompatible with the objects of the American occupation. Courts were promptly established, the judges being appointed only after careful inquiry and upon the express recommendation of the best citizens. The demoralized municipalities were reorganized, the municipal officials being appointed in the same way as the judges. Forces of police were organized for the towns and rural districts. Cities and towns were cleaned of the accumulated filth which had made them for ages plague-spots and centres of infection for the most dreaded diseases of the tropics. Sanitary regulations were enforced among people who had never before known what such regulations were or were intended for. All available funds were devoted to the prosecution of public works, affording employment and relief to the destitute laboring element of the population. A system of internal taxation was devised, which, though crude and far from satisfactory even to its authors, was probably the best that could have been arranged in the existing emergency, and was certainly more reasonable and equitable than any that had ever been known under Spanish domination. As soon as possible, free public schools were established, and no other measure of the military government for the

benefit of the governed met with such prompt and cordial recognition and support as the attempt to establish public instruction in a land in which four centuries of Spanish civilization had failed to produce so much as a single schoolhouse. In addition to all this, the sick, the helpless and the destitute were relieved and cared for till they could be put in a position to care for themselves. Public order was restored and maintained in the most turbulent section of Cuba. None but Cubans were appointed to office, but every Cuban official was subject to the supervision of the military authorities. Dismissal and, if necessary, punishment were promptly and summarily dealt out to those who were found guilty of neglect or malfeasance. The surrendered district was quiet, contented, and, if not prosperous, it was at least self-sustaining. In less than six months, substantial progress had been made toward the accomplishment of the purposes for which the United States had intervened in Cuba, when, on January 1, 1899, it lost its identity, becoming thereafter only a part of the Military Division of Cuba, subject, in all respects, to the Military Governor at Havana.

The history of the American occupation since the day when the entire island passed into American hands is simply the story of what has been done at Havana. It is a record of error and neglect, of folly, ending necessarily in failure, and, possibly, in shame and disgrace.

Some preliminary mistakes and omissions seem to have been made at Washington. During all the period between the fall of Santiago and the occupation of Havana, nobody seems to have thought it worth while to study the problems involved in the transfer of the island, or to arrange a scheme for administering the government with a view to accomplishing economically, quickly and effectively the ultimate purposes of the intervention. Those purposes seem to have been lost sight of. A garrison was sent into the island, just as would have been done if the surrender had been arranged the previous day. So far as can be discovered, no general policy was prescribed and no specific instructions were given by the Government at Washington to guide the Military Governor in the performance of his difficult duty. The occupation of Cuba being of a purely military character, the President, as Commander-in-Chief, was invested with legislative, executive and judicial powers over the island. He could prescribe

the methods by which those powers were to be used to accomplish the purposes for which the war had been waged, and he could select, with those ends in view, competent subordinates to whom to delegate their exercise.

If the President deemed it wise, as it seems he did, to commit the exercise of his vast powers in Cuba to the absolute discretion of the Military Governor, his next mistake was in the selection of an officer for that trust who had no qualifications for the position, and no claim upon it except such as might be due to his high rank in the army. If the duties to be performed had been of a purely military character, the selection made would have been natural and proper; and there is no reason to doubt that the results would have been satisfactory. But there were no military problems to be solved in Cuba. The military duties of a Military Governor were certain to be only those of ordinary routine. It was equally certain that whoever might be appointed would find his real work in dealing with problems of a civil nature, the successful solution of which would call for the exercise of the highest and most exceptional ability, or, in its absence, for the results of special training and long experience in similar duties. High rank and long and honorable service in the army are not evidences of qualification for a task of such difficulty. When the name of the first Military Governor was announced, there was dismay in the hearts of all intelligent Cubans. They knew nothing of his long and honorable record as an officer, but they knew all about his brief career as Governor of Puerto Rico, and of his deplorable failure as an administrator of civil affairs. Neither by ability nor experience was he fitted for the duties entrusted to him, and it was inevitable that when he found himself unable to exercise the great powers conferred upon him those powers should fall into other hands.

Before this occurred, however, the Governor made two fatal blunders, apparently of his own motion. On assuming his office he proclaimed the restoration of the Spanish law *in its entirety*. Of what the Spanish law was, of its defects and its enormities, he probably knew nothing at all. Of the scandalous judicial system and the more scandalous methods of procedure, in both civil and criminal cases, which that law provides, he must have been totally ignorant. The effect of this was to revoke all the modifications of the law which, under the saving clause of the President's order re-

ferred to, had been enacted in the surrendered region of Santiago, and to restore to life every iniquitous practice against which Cuba had rebelled. It remained then only to find subordinates to whom to confide the application of unmitigated Spanish law, under American responsibility, to the government of the people who abhorred that law and all that it represented, for the purposes for which the intervention had been made. If the trust had been passed on by the Governor to American subordinates, or to Cubans carefully selected and carefully and constantly supervised in the discharge of their duties, the result might have been favorable; but in selecting his counsellors for civil affairs the Military Governor made another blunder, as serious as the first. The administrative duties of his government were distributed among four departments, each with a secretary at its head. The four secretaries formed the Governor's "Cabinet." Nominally, the Governor retained absolute control of the government, but really, without a formal delegation of his authority, he allowed to lapse into the hands of the four secretaries the great powers which he was himself too weak to wield. It was not long until the facts became known in Havana, and from there the knowledge spread over all the island. The expression of it took the form: "The American Governor reigns, but the Cuban secretaries govern." With this second blunder, the Military Governor practically disappears from the record. From this point, the government becomes practically a Cuban government, without responsibility on the part of the Cubans. That responsibility is all that is left to the American who is nominally the Governor and the Government.

It may be interesting, as throwing some light on the question as to what the Cubans would do if left to govern themselves without even nominal control, to follow the course and to point out the results of Cuban government so far.

If the secretaries, when they found themselves in possession of the Governor's powers, had exercised those powers to relieve their countrymen as soon as possible from the burdens and afflictions imposed by Spanish law and Spanish rule, the accomplishment of the ends for which the Cubans revolted and those for which the Americans intervened would have been equally promoted. If, without any regard whatever for American interests, they had laid out and pursued a wise and patriotic policy in the

interest of their own country, they would necessarily have been promoting the real and ultimate purpose of the intervention, from the American point of view, the turning of the island from a serious and standing nuisance into a good and quiet neighbor. But no such course has been taken. The folly of the Military Governor in proclaiming the complete re-establishment of the Spanish laws had the effect of preserving, in working order, every weapon and device for the purposes of fraud, corruption and oppression that Spain had perfected after four centuries of misrule, and the use and control of this arsenal and magazine of iniquities was weakly handed over to men who, though they had rebelled against the system when Spaniards were the oppressors and they themselves were the victims, have shown since they came into power, not only their desire to preserve the same system with no material modifications, but their willingness to employ it for the oppression of their own countrymen. After almost a year of American supremacy, Cuba is governed by Spanish methods. The only change has been in the substitution of Cubans for Spaniards as the administrators of the machinery of government.

No American who is not familiar with the Spanish language and the Spanish laws, and who has not lived in a country subject to Spanish rule long enough to become familiar with the methods by which those laws are administered, can have any adequate conception of the enormities which can be, and are, as a matter of course, perpetrated by due process of law and in the name of justice, under the Spanish system. It would take too long to describe here, in anything like detail, the deformities of the Spanish codes, the barbarities of Spanish procedure and the defects of the Spanish organization of the judiciary. It must suffice to say, briefly, that the body of Spanish law is not a growth upward from the needs and the customs of the people who are subject to it, like the common law and the statutes in the United States. It is a rule imposed from above by an authority higher than the people, and framed without much regard to the people's welfare. If it does not fit the people, they must fit themselves to it as well as they may. And for the application of the law to litigated cases, for the prosecution of persons accused of public offenses and for the accomplishment of the purposes of the Government, worthy or unworthy, there have been devised a sys-

tem of courts and a method of procedure differing radically from anything of the sort that any English-speaking people have known for the last three hundred years. Americans have never thought of their courts of justice as anything less than co-ordinate parts of the mechanism of their Government, not to be interfered with or restricted in the exercise of their judicial powers by any other branch of the same Government. No Spaniard or Cuban has ever risen to such a conception of a court. In Cuba to-day, as in Spain, the courts are subordinate, not co-ordinate, parts of the Government. They are merely instruments in the hands of higher powers by which those powers may accomplish their purposes indirectly whenever, for any reason, they do not care to do so openly. To this end, the tribunals are so organized and their procedure so arranged that the guilty may be shielded and the innocent persecuted to destruction, as may suit the whims, caprices or corrupt interests of the persons in possession of the powers of government. Since the Cuban secretaries took possession of the American Government at Havana, nothing has been done by them, or by any person under their authority, to introduce any reform, in the furtherance of common justice, in the laws, the courts or the modes of procedure. They have carefully preserved the entire iniquitous system, showing every desire to make it permanent, merely substituting themselves for the Spaniards who were formerly masters of the same powers for evil. The result is that the Cuban people have no more confidence in the courts of justice to-day than they had when the domination of Spain was unchallenged. Corruption exists everywhere. Justice and injustice are commodities disposed of, more or less openly, in the forum as in a market. When the Cubans cry out against the continuance of a condition of things against which they repeatedly rebelled, and which they believed could not exist under the American flag, they are told, by the Cuban secretaries, that the American Governor is responsible and that he declines to take any steps in the direction of reform. When, on the other hand, indignant Americans, scandalized at a state of affairs for which the whole American people will be held morally responsible, ask the Military Governor for an explanation of his tranquil inertness, they learn that such or such a secretary has the matter in hand, that it requires careful consideration; that much time is necessary, but that, ultimately, something will be done. Substantially

nothing has been done, and there is no prospect whatever that any material improvement can ever be effected under the present system of Cuban government, with American responsibility for the results of Cuban incompetence and corruption. As stated above, the result is valuable only as showing what will infallibly result whenever the destinies of Cuba are turned over without reserve to the hands of Cubans, as Cubans are now.

Aside from the administration of justice, no other public duty was more grossly neglected or perverted under Spanish rule in Cuba than the duty of public instruction. There were laws in abundance relating to the subject—as, indeed, there are voluminous laws relating to almost every conceivable subject; but there was not a school in the island worthy of the name it bore. The end and purpose of the public schools, as they existed, was not to educate the young, but to pay salaries to the teaching body. Nobody could teach school, or pretend to teach, who was not possessed of an official license. The possession of any degree of learning, or of the capacity to impart knowledge to others, was not at all indispensable in the candidate for such a license. Other considerations, of a pecuniary character, seem to have been much more weighty in securing the coveted "*titulo*" for those who were anxious, not to teach, but to hold the office and receive the salaries of teachers. One of the first things the Cubans looked and prayed for, when the Americans took possession of their island, was the establishment of public schools, in which their children might be redeemed from the bondage of ignorance in which they themselves had been held. About the clearest idea that the ordinary Cuban peasant has of the United States is that it is a land where all children go to school and everybody can read and write. He looked for the advent of some such delightful condition in Cuba soon after the Americans came; and his hopes were greatly strengthened when the military government in the surrendered region in Santiago set to work, immediately after the capitulation, to organize public schools everywhere within its jurisdiction. The schools so organized were but poor affairs, if judged by any American standard, and the resources for sustaining them were scanty and precarious; but they were the best schools that country had ever known, and for the first time in the history of the island the instruction of children was made of greater importance than the emoluments of teachers. The system

was developing, extending and improving, with results that were highly satisfactory, when, at a blow, it was destroyed, by the mandate of a Cuban secretary, because it had not been organized and administered in strict accordance with the discredited Spanish law of public instruction. To Americans this may seem to be incredible, but it is deplorably true; and it was done in the name and by the authority of the highest representative of American authority in the island. The Cubans promptly lost faith in America as a land of light and leading. They believe, and with some reason, that Americans are just as anxious to keep them in ignorance as ever their Spanish masters were. The revolutionary element takes pains to explain that the American Governor is again responsible for this failure, while the Governor explains to inquiring Americans that some secretary, as usual, has the matter "under careful consideration"—so careful, in fact, that it will never get beyond his consideration.

Another of the grievous complaints which the Cubans made against Spain was that the whole government of the island, even in its smallest details, was centralized at Havana. It has remained for the Cuban ministers of an American Governor to prove that the Spaniards were mere amateurs in the art of centralizing power. As soon as the secretaries at Havana became the real masters of the island, they began a system of appointments and removals in all the offices, from the highest judicial and administrative posts down to the third and fourth assistant mayors of little hamlets in the remote wilderness. Every one of these appointments was made with due consideration of its effect on the political future of the small *junta* in control. Many of these appointments were made in spite of the earnest and repeated protests of the American generals in command of subordinate departments, but the generals soon learned that they too were practically subject to the secretaries, and that a demonstration of the fact that a candidate for any important position was unfitted for it by personal character, attainments, antecedents or for any other reason, had no weight with the American Governor as against the recommendation of a Cuban secretary. Appointments were confined almost exclusively to those who had served in the Cuban army. That force never represented ten per cent. of the Cuban people, and its general character was such that high rank or long service in it might better be regarded as disqualifica-

tions for office, rather than as claims to consideration. As a body, it is avowedly hostile to the continuance of the American occupation, even for a day, and equally hostile to the exertion of any American influence in determining the final settlement and reconstruction of the country. Yet from this body have been appointed judges of all grades, civil governors in every province, the mayors and other municipal officers in all cities and towns—almost every Cuban officeholder, in short, every one of whom is dependent, for his continuance in office, on the secretaries who gave it to him. The result is a political machine which covers the entire island, which has been constructed under cover of American authority, but is bitterly hostile to every American influence, and the aim of which is to obstruct and to defeat, if possible, the very purposes for which the Americans intervened and expelled Spain from Cuba.

Another effective device of the *junta* at Havana for increasing their power has been to make every municipality in the island directly dependent on the general treasury at the capital for the means with which to pay its way. No municipality is allowed to raise sufficient revenues out of its own resources and expend them for its own benefit. The custom house receipts and the greater part of the internal revenues are sent to the capital, there to be doled out to the cities and towns, for their local expenses, in sums deemed suitable for the purpose by functionaries who have no local knowledge whatever, and who may give or withhold as may suit their discretion or their personal or political interest. If the municipal affairs of Seattle were subject to the dictation of the Cabinet at Washington the conditions would be parallel.

It may be stated, in brief, that wherever Cubans, under nominal American control, have been trusted to exercise the functions of government, the result has been worse than failure. The courts are corrupt and incompetent; the police forces are hopelessly inefficient; the public schools are unorganized; the municipalities are all bankrupt dependents on a political machine; the offices of government, high and low, are filled, very largely, with unworthy and incompetent officials; the laws, the courts and the methods of procedure are unreformed; and, finally, almost every abuse against which Cubans rebelled and to remedy which the United States intervened is in operation to-day under American authority. There exists throughout the island a condition

of tame anarchy, which awaits only the withdrawal of the American forces to burst out into anarchy of another type.

In two branches only of the public service has there been great and highly satisfactory advance from the previously existing conditions. The receipts from the custom houses have greatly increased, in spite of the reduction in trade due to the exhausted condition of the island, and the reductions made in the tariff rates. This will be understood when it is remembered that an American, an officer of the regular army, collects and accounts for the receipts in every custom house in Cuba, and that a regular officer is treasurer and another is auditor for the whole island. In the department of sanitation and public health, also, the American control has been absolute, and no Cuban has been permitted to interfere with the operations of that important branch. The result is seen in the lowest death-rate ever known in the island. In other words, where Americans have been allowed to work, with American methods, the result has been distinguished success. On the other hand, wherever Cubans have been allowed to proceed, by any methods of their own choice, they have invariably clung to the methods of Spain, which they have employed for their own ends, not for the public good; and the result is disastrous failure, for which Americans are responsible. Not one step has been taken toward a realization of the purposes of the intervention. The problem has become, by reason of neglect and incompetency, more difficult to-day than it was a year ago. The house was swept and garnished, but the door was left open and the seven other devils seem to have taken advantage of the opportunity. If no change occurs soon the last state of Cuba bids fair to be far worse than the first.

J. E. RUNCIE.

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